

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
HON. Lynn Adelman, presiding

SENTENCING MINUTES

DATE: 1/9/15
CASE NO.: 13 CR 99
UNITED STATES v. Bodie Witzlib

Dep. Clerk: JJ Detrich
Ct. Repr.: Sherry
Time Called: 1:35
Time Concluded: 2:11

United States By: Tracy Johnson, Laura Kwaterski
Probation Officer: Jim Fetherston

Interpreter: _____ ☐ Sworn

Def't. Bodie Witzlib in person, ~~and by Attorney~~ _____

Custody of Bureau of Prisons

____ months on Count(s) ____
____ months on Count(s) ____
time served
to run concurrently/consecutively
for a total of ____ months

Supervised Release/Probation

2 years on Count(s) ____
____ years on Count(s) ____
to run concurrently/consecutively
for a total of ____ years

Court's recommendation to Bureau of Prisons: _____

COUNT(S) DISMISSED on motion of Government: other counts

Special Conditions of Supervised Release/Probation

- | | |
|--|--|
| <input checked="" type="checkbox"/> report within 72 hours of release | <input type="checkbox"/> if job with fiduciary duties, report conviction |
| <input checked="" type="checkbox"/> no firearms or other dangerous weapons | <input type="checkbox"/> to employer; self-employment with fiduciary duties only if p.o. oks |
| <input checked="" type="checkbox"/> no illegal possession, use of controlled substances <u>standard tests</u> | <input type="checkbox"/> no major financial transactions unless p.o. oks (likewise new lines of credit or using current lines of credit) |
| <input type="checkbox"/> community correction center for ____ | <input type="checkbox"/> financial disclosure; file all taxes |
| <input type="checkbox"/> cooperate with I.N.S. | <input type="checkbox"/> attend to child support |
| <input type="checkbox"/> submit to search by p.o. | <input type="checkbox"/> cooperate with I.R.S. |
| <input type="checkbox"/> program of drug & alcohol testing and treatment as p.o. directs; no alcohol; pay cost of program as p.o. directs | <input type="checkbox"/> DNA collection |
| <input type="checkbox"/> no work at or patronizing taverns | <input checked="" type="checkbox"/> other: <u>cognitive intervention</u> |
| <input type="checkbox"/> pay restitution/fine balance at \$____/month; apply all tax refunds to restitution/fine; change tax exemptions only if p.o. oks | <input checked="" type="checkbox"/> <u>MH treatment</u> |

FINE: \$ _____ on Count(s) _____.

Terms:

- ☒ Fine waived or reduced due to defendant's inability to pay.
- ☐ Interest on fine waived.
- ☐ Deft. to participate in FBP Inmates' Financial Responsibility Program

COSTS of incarceration, community confinement and supervision

- ☐ WAIVED
- ☐ IMPOSED

RESTITUTION: \$ _____ Payee: _____

Terms:

- ☐ Interest on restitution waived.
- ☐ Deft. to participate in FBP Inmates' Financial Responsibility Program

SPECIAL ASSESSMENT: \$ 100 on Count(s) _____.

- ☒ To be paid immediately.
- ☐ To be paid prior to close of business day.
- ☐ To be paid prior to expiration of this sentence.
- ☐ Other:

FORFEITURE:

CUSTODY STATUS:

- ☐ Defendant remanded to custody of U.S. Marshal.
- ☐ Execution of sentence stayed until _____
- ☐ Voluntary surrender to institution.

- ☒ Defendant advised of right to appeal.

OTHER:

STATEMENT OF REASONS

☒ The Court adopts the factual findings and guideline application in the presentence report
or

☐ The Court adopts the factual findings and guideline application in the presentence report except:

Advisory Guideline Range Determined by the Court:

Total Offense Level: 18
Criminal History Category: IV
Imprisonment Range : 41 to 51 months
Supervised Release Range: 1 to 3 years
(Probation Range: _____ to _____ years)
Fine Range: \$ 5,000 to \$ 60,000

Restitution: \$ _____ ☐ Full restitution is not ordered for the following reasons:

☐ The sentence is within the guideline range.

or

☐ The court departs from the guideline range

- ☐ Upon motion of the government, as a result of defendant's substantial assistance.
- ☐ For the following reason(s):

or

☐ The court imposes a non-guideline sentence under 18 U.S.C. § 3553(a).